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2010 FEB -9 PM 3:44

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LOS ANGELES  
BY

1 I. Neel Chatterjee (SBN 173985)  
nchatterjee@orrick.com  
2 Fabio E. Marino (SBN 183825)  
fmarino@orrick.com  
3 ORRICK, HERRINGTON & SUTCLIFFE LLP  
1000 Marsh Road  
4 Menlo Park, CA 94025  
Telephone: (650) 614-7400  
5 Facsimile: (650) 614-7401

6 Robert W. Dickerson (SBN 89367)  
rdickerson@orrick.com  
7 Benjamin J. Hofileña (SBN 227117)  
bhofileña@orrick.com  
8 ORRICK, HERRINGTON & SUTCLIFFE LLP  
777 South Figueroa Street, Suite 3200  
9 Los Angeles, CA 90017  
Telephone: 213-629-2020  
10 Facsimile: 213-612-2499

11 Attorneys for Defendant and Counterclaimant  
12 IBAHN CORPORATION

13 IN THE UNITED STATES DISTRICT COURT  
14 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
15 WESTERN DIVISION  
16

17 NOMADIX, INC.,

18 Plaintiff,

19 v.

20 HEWLETT-PACKARD COMPANY,  
WAYPORT, INC.,  
21 IBAHN CORPORATION,  
GUEST-TEK INTERACTIVE  
22 ENTERTAINMENT LTD.,  
GUEST-TEK INTERACTIVE  
23 ENTERTAINMENT INC.,  
LODGENET INTERACTIVE  
24 CORPORATION,  
LODGENET STAYONLINE, INC.,  
25 ON COMMAND CORPORATION,  
ARUBA NETWORKS, INC.,  
26 SUPERCLICK, INC.,  
27 SUPERCLICK NETWORKS, INC.,

28 Defendants.

Case No. CV-09-08441-DDP (VBKx)

**IBAHN CORPORATION'S  
ANSWER TO PLAINTIFF'S  
COMPLAINT AND  
COUNTERCLAIMS FOR  
DECLARATORY JUDGMENT OF  
INVALIDITY AND NON-  
INFRINGEMENT**

**JURY TRIAL DEMANDED**

Judge: Hon. Dean D. Pregerson

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IBAHN CORPORATION,  Counterclaimant,  v.  NOMADIX, INC.,  Counter-defendant.
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1                   **IBAHN CORPORATION'S ANSWER, DEFENSES, AND**  
2                   **COUNTERCLAIMS TO PLAINTIFF'S COMPLAINT**

3                   Defendant iBAHN Corporation ("iBAHN") hereby submits its  
4                   Answer, including defenses and counterclaims, as to the Complaint for Patent  
5                   Infringement of Plaintiff Nomadix, Inc. ("Nomadix") as follows:  
6

7                   **JURISDICTION AND VENUE**

8                   1.    iBAHN admits that Nomadix purports to bring this claim under the  
9                   patent laws of the United States and that this Court has subject matter  
10                  jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a). iBAHN, however,  
11                  denies the merits of the claims asserted against it.

12                  2.    For the purposes of this action, iBAHN does not deny that the  
13                  Court has personal jurisdiction over it. To the extent any remaining allegations  
14                  of paragraph 2 are directed to iBAHN, they are denied. To the extent the  
15                  allegations of paragraph 2 are directed to other entities, iBAHN lacks  
16                  knowledge or information sufficient to form a belief as to the truth of the  
17                  allegations of paragraph 2 and on that basis denies them.

18                  3.    iBAHN admits that venue is proper in this district as to iBAHN, but  
19                  denies having committed any wrongful acts upon which venue allegedly is  
20                  based. To the extent the allegations of paragraph 3 are directed to other  
21                  entities, iBAHN lacks knowledge or information sufficient to form a belief as to  
22                  the truth of the allegations of paragraph 3 and on that basis denies them.

23                  **PARTIES**

24                  4.    iBAHN lacks knowledge or information sufficient to form a belief  
25                  about the truth of allegations of paragraph 4 and on that basis denies them.

26                  5.    iBAHN lacks knowledge or information sufficient to form a belief  
27                  as to the truth of the allegations of paragraph 5 and on that basis denies them.  
28

1           6. iBAHN lacks knowledge or information sufficient to form a belief  
2 as to the truth of the allegations of paragraph 6 and on that basis denies them.

3           7. iBAHN Corporation admits it is a corporation organized under the  
4 laws of the state of Delaware with its principal place of business at 10757 S. River  
5 Front Parkway, Suite 300, Salt Lake City, Utah 84095.

6           8. iBAHN lacks knowledge or information sufficient to form a belief  
7 as to the truth of the allegations of paragraph 8 and on that basis denies them.

8           9. iBAHN lacks knowledge or information sufficient to form a belief  
9 as to the truth of the allegations of paragraph 9 and on that basis denies them.

10          10. iBAHN lacks knowledge or information sufficient to form a belief  
11 as to the truth of the allegations of paragraph 10 and on that basis denies them.

12          11. iBAHN lacks knowledge or information sufficient to form a belief  
13 as to the truth of the allegations of paragraph 11 and on that basis denies them.

14          12. iBAHN lacks knowledge or information sufficient to form a belief  
15 as to the truth of the allegations of paragraph 12 and on that basis denies them.

16          13. iBAHN lacks knowledge or information sufficient to form a belief  
17 as to the truth of the allegations of paragraph 13 and on that basis denies them.

18          14. iBAHN lacks knowledge or information sufficient to form a belief  
19 as to the truth of the allegations of paragraph 14 and on that basis denies them.

20          15. iBAHN lacks knowledge or information sufficient to form a belief  
21 as to the truth of the allegations of paragraph 15 and on that basis denies them.

22                   **ALLEGATIONS FOR ALL CLAIMS OF RELIEF**

23          16. iBAHN admits that on its face the United States Patent No. 6,130,892  
24 (“the ‘892 patent”) states that it issued on October 10, 2000, and that it is entitled  
25 “Nomadic Translator or Router.” iBAHN further admits that what appears to be a  
26 copy of the ’892 patent is attached to the Complaint as Exhibit 1. iBAHN further  
27 admits that what appears to be a copy of the Notice of Intent to Issue *Ex Parte*  
28 Reexamination Certificate is attached to the Complaint as Exhibit 2. iBAHN lacks

1 knowledge or information sufficient to form a belief about the truth of the  
2 remaining allegations of paragraph 16 and therefore denies them.

3 17. iBAHN admits that on its face the United States Patent No. 7,088,727  
4 (“the ‘727 patent”) states that it issued on August 8, 2006, and that it is entitled  
5 “System and Method for Establishing Network Connection with Unknown Network  
6 and/or User Device.” iBAHN further admits that what appears to be a copy of the  
7 ’727 patent is attached to the Complaint as Exhibit 3. iBAHN lacks knowledge or  
8 information sufficient to form a belief about the truth of the remaining allegations  
9 of paragraph 17 and therefore denies them.

10 18. iBAHN admits that on its face the United States Patent No. 7,554,995  
11 (“the ‘995 patent”) states that it issued on June 30, 2009, and that it is entitled  
12 “System and Method for Establishing Network Connection with Unknown Network  
13 and/or User Device.” iBAHN further admits that what appears to be a copy of the  
14 ’995 patent is attached to the Complaint as Exhibit 4. iBAHN lacks knowledge or  
15 information sufficient to form a belief about the truth of the remaining allegations  
16 of paragraph 18 and therefore denies them.

17 19. iBAHN admits that on its face the United States Patent No. 6,636,894  
18 (“the ‘894 patent”) states that it issued on October 21, 2003, and that it is entitled  
19 “Systems and Methods for Redirecting Users Having Transparent Computer Access  
20 to a Network Using a Gateway Device Having Redirection Capability.” iBAHN  
21 further admits that what appears to be a copy of the ’894 patent is attached to the  
22 Complaint as Exhibit 5. iBAHN further admits that what appears to be a copy of  
23 the *Ex Parte* Reexamination Certificate is attached to the Complaint as Exhibit 6.  
24 iBAHN lacks knowledge or information sufficient to form a belief about the truth  
25 of the remaining allegations of paragraph 19 and therefore denies them.

26 20. iBAHN admits that on its face the United States Patent No. 7,194,554  
27 (“the ‘554 patent”) states that it issued on March 20, 2007, and that it is entitled  
28 “Systems and Methods for Providing Dynamic Network Authorization



1 Authentication and Accounting.” iBAHN further admits that what appears to be a  
2 copy of the ‘554 patent is attached to the Complaint as Exhibit 7. iBAHN lacks  
3 knowledge or information sufficient to form a belief about the truth of the  
4 remaining allegations of paragraph 20 and therefore denies them.

5 21. iBAHN admits that on its face the United States Patent No. 6,868,399  
6 (“the ‘399 patent”) states that it issued on March 15, 2005, and that it is entitled  
7 “Systems and Methods for Integrating a Network Gateway Device with  
8 Management Systems.” iBAHN further admits that what appears to be a copy of  
9 the ‘399 patent is attached to the Complaint as Exhibit 8. iBAHN lacks knowledge  
10 or information sufficient to form a belief about the truth of the remaining  
11 allegations of paragraph 21 the complaint and therefore denies them.

12 22. iBAHN admits that on its face the United States Patent No. 6,789,110  
13 (“the ‘110 patent”) states that it issued on September 7, 2004, and that it is entitled  
14 “Information and Control Console for Use with a Network Gateway Interface.”  
15 iBAHN further admits that what appears to be a copy of the ‘110 patent is attached  
16 to the Complaint as Exhibit 9. iBAHN lacks knowledge or information sufficient to  
17 form a belief about the truth of the remaining allegations of paragraph 22 and  
18 therefore denies them.

19 23. iBAHN lacks knowledge or information sufficient to form a belief  
20 about the truth of allegations of paragraph 23 and on that basis denies them.

## 21 **I. CLAIMS AGAINST HP**

### 22 **CLAIM 1: CLAIM FOR INFRINGEMENT OF**

#### 23 **U.S. PATENT NO. 6,130,892 BY HP**

24 24. iBAHN repeats and incorporates by reference its responses to the  
25 allegations in paragraphs 1 through 23.

26 25. iBAHN admits that Nomadix purports to bring this claim under the  
27 patent laws of the United States.

28 26. The allegations of paragraph 26 are not directed to iBAHN, and

1 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
2 to form a belief as to the truth of the allegations of paragraph 26 and on that basis  
3 denies them.

4 27. The allegations of paragraph 27 are not directed to iBAHN, and  
5 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
6 to form a belief as to the truth of the allegations of paragraph 27 and on that basis  
7 denies them.

8 28. The allegations of paragraph 28 are not directed to iBAHN, and  
9 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
10 to form a belief as to the truth of the allegations of paragraph 28 and on that basis  
11 denies them.

12 29. The allegations of paragraph 29 are not directed to iBAHN, and  
13 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
14 to form a belief as to the truth of the allegations of paragraph 29 and on that basis  
15 denies them.

16 30. The allegations of paragraph 30 are not directed to iBAHN, and  
17 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
18 to form a belief as to the truth of the allegations of paragraph 30 and on that basis  
19 denies them.

20 31. The allegations of paragraph 31 are not directed to iBAHN, and  
21 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
22 to form a belief as to the truth of the allegations of paragraph 31 and on that basis  
23 denies them.

24 32. The allegations of paragraph 32 are not directed to iBAHN, and  
25 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
26 to form a belief as to the truth of the allegations of paragraph 32 and on that basis  
27 denies them.

28 33. The allegations of paragraph 33 are not directed to iBAHN, and

1 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
2 to form a belief as to the truth of the allegations of paragraph 33 and on that basis  
3 denies them.

4 **CLAIM 2: CLAIM FOR INFRINGEMENT OF**  
5 **U.S. PATENT NO. 7,088,727 BY HP**

6 34. iBAHN repeats and incorporates by reference its responses to the  
7 allegations in paragraphs 1 through 23.

8 35. iBAHN admits that Nomadix purports to bring this claim under the  
9 patent laws of the United States.

10 36. The allegations of paragraph 36 are not directed to iBAHN, and  
11 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
12 to form a belief as to the truth of the allegations of paragraph 36 and on that basis  
13 denies them.

14 37. The allegations of paragraph 37 are not directed to iBAHN, and  
15 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
16 to form a belief as to the truth of the allegations of paragraph 37 and on that basis  
17 denies them.

18 38. The allegations of paragraph 38 are not directed to iBAHN, and  
19 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
20 to form a belief as to the truth of the allegations of paragraph 38 and on that basis  
21 denies them.

22 39. The allegations of paragraph 39 are not directed to iBAHN, and  
23 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
24 to form a belief as to the truth of the allegations of paragraph 39 and on that basis  
25 denies them.

26 40. The allegations of paragraph 40 are not directed to iBAHN, and  
27 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
28 to form a belief as to the truth of the allegations of paragraph 40 and on that basis



1 denies them.

2 41. The allegations of paragraph 41 are not directed to iBAHN, and  
3 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
4 to form a belief as to the truth of the allegations of paragraph 41 and on that basis  
5 denies them.

6 42. The allegations of paragraph 42 are not directed to iBAHN, and  
7 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
8 to form a belief as to the truth of the allegations of paragraph 42 and on that basis  
9 denies them.

10 43. The allegations of paragraph 43 are not directed to iBAHN, and  
11 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
12 to form a belief as to the truth of the allegations of paragraph 43 and on that basis  
13 denies them.

14 **CLAIM 3: CLAIM FOR INFRINGEMENT OF**  
15 **U.S. PATENT NO. 7,554,995 BY HP**

16 44. iBAHN repeats and incorporates by reference its responses to the  
17 allegations in paragraphs 1 through 23.

18 45. iBAHN admits that Nomadix purports to bring this claim under the  
19 patent laws of the United States.

20 46. The allegations of paragraph 46 are not directed to iBAHN, and  
21 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
22 to form a belief as to the truth of the allegations of paragraph 46 and on that basis  
23 denies them.

24 47. The allegations of paragraph 47 are not directed to iBAHN, and  
25 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
26 to form a belief as to the truth of the allegations of paragraph 47 and on that basis  
27 denies them.

28 48. The allegations of paragraph 48 are not directed to iBAHN, and

1 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
2 to form a belief as to the truth of the allegations of paragraph 48 and on that basis  
3 denies them.

4 49. The allegations of paragraph 49 are not directed to iBAHN, and  
5 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
6 to form a belief as to the truth of the allegations of paragraph 49 and on that basis  
7 denies them.

8 50. The allegations of paragraph 50 are not directed to iBAHN, and  
9 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
10 to form a belief as to the truth of the allegations of paragraph 50 and on that basis  
11 denies them.

12 51. The allegations of paragraph 51 are not directed to iBAHN, and  
13 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
14 to form a belief as to the truth of the allegations of paragraph 51 and on that basis  
15 denies them.

16 52. The allegations of paragraph 52 are not directed to iBAHN, and  
17 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
18 to form a belief as to the truth of the allegations of paragraph 52 and on that basis  
19 denies them.

20 53. The allegations of paragraph 53 are not directed to iBAHN, and  
21 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
22 to form a belief as to the truth of the allegations of paragraph 53 and on that basis  
23 denies them.

24 **CLAIM 4: CLAIM FOR INFRINGEMENT OF**  
25 **U.S. PATENT NO. 6,636,894 BY HP**

26 54. iBAHN repeats and incorporates by reference its responses to the  
27 allegations in paragraphs 1 through 23.

28 55. iBAHN admits that Nomadix purports to bring this claim under the

1 patent laws of the United States.

2 56. The allegations of paragraph 56 are not directed to iBAHN, and  
3 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
4 to form a belief as to the truth of the allegations of paragraph 56 and on that basis  
5 denies them.

6 57. The allegations of paragraph 57 are not directed to iBAHN, and  
7 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
8 to form a belief as to the truth of the allegations of paragraph 57 and on that basis  
9 denies them.

10 58. The allegations of paragraph 58 are not directed to iBAHN, and  
11 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
12 to form a belief as to the truth of the allegations of paragraph 58 and on that basis  
13 denies them.

14 59. The allegations of paragraph 59 are not directed to iBAHN, and  
15 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
16 to form a belief as to the truth of the allegations of paragraph 59 and on that basis  
17 denies them.

18 60. The allegations of paragraph 60 are not directed to iBAHN, and  
19 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
20 to form a belief as to the truth of the allegations of paragraph 60 and on that basis  
21 denies them.

22 61. The allegations of paragraph 61 are not directed to iBAHN, and  
23 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
24 to form a belief as to the truth of the allegations of paragraph 61 and on that basis  
25 denies them.

26 62. The allegations of paragraph 62 are not directed to iBAHN, and  
27 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
28 to form a belief as to the truth of the allegations of paragraph 62 and on that basis

1 denies them.

2 63. The allegations of paragraph 63 are not directed to iBAHN, and  
3 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
4 to form a belief as to the truth of the allegations of paragraph 63 and on that basis  
5 denies them.

6 **CLAIM 5: CLAIM FOR INFRINGEMENT OF**  
7 **U.S. PATENT NO. 7,194,554 BY HP**

8 64. iBAHN repeats and incorporates by reference its responses to the  
9 allegations in paragraphs 1 through 23.

10 65. iBAHN admits that Nomadix purports to bring this claim under the  
11 patent laws of the United States.

12 66. The allegations of paragraph 66 are not directed to iBAHN, and  
13 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
14 to form a belief as to the truth of the allegations of paragraph 66 and on that basis  
15 denies them.

16 67. The allegations of paragraph 67 are not directed to iBAHN, and  
17 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
18 to form a belief as to the truth of the allegations of paragraph 67 and on that basis  
19 denies them.

20 68. The allegations of paragraph 68 are not directed to iBAHN, and  
21 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
22 to form a belief as to the truth of the allegations of paragraph 68 and on that basis  
23 denies them.

24 69. The allegations of paragraph 69 are not directed to iBAHN, and  
25 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
26 to form a belief as to the truth of the allegations of paragraph 69 and on that basis  
27 denies them.

28 70. The allegations of paragraph 70 are not directed to iBAHN, and

1 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
2 to form a belief as to the truth of the allegations of paragraph 70 and on that basis  
3 denies them.

4 71. The allegations of paragraph 71 are not directed to iBAHN, and  
5 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
6 to form a belief as to the truth of the allegations of paragraph 71 and on that basis  
7 denies them.

8 **CLAIM 6: CLAIM FOR INFRINGEMENT OF**  
9 **U.S. PATENT NO. 6,868,399 BY HP**

10 72. iBAHN repeats and incorporates by reference its responses to the  
11 allegations in paragraphs 1 through 23.

12 73. iBAHN admits that Nomadix purports to bring this claim under the  
13 patent laws of the United States.

14 74. The allegations of paragraph 74 are not directed to iBAHN, and  
15 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
16 to form a belief as to the truth of the allegations of paragraph 74 and on that basis  
17 denies them.

18 75. The allegations of paragraph 75 are not directed to iBAHN, and  
19 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
20 to form a belief as to the truth of the allegations of paragraph 75 and on that basis  
21 denies them.

22 76. The allegations of paragraph 76 are not directed to iBAHN, and  
23 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
24 to form a belief as to the truth of the allegations of paragraph 76 and on that basis  
25 denies them.

26 77. The allegations of paragraph 77 are not directed to iBAHN, and  
27 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
28 to form a belief as to the truth of the allegations of paragraph 77 and on that basis



1 denies them.

2 78. The allegations of paragraph 78 are not directed to iBAHN, and  
3 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
4 to form a belief as to the truth of the allegations of paragraph 78 and on that basis  
5 denies them.

6 79. The allegations of paragraph 79 are not directed to iBAHN, and  
7 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
8 to form a belief as to the truth of the allegations of paragraph 79 and on that basis  
9 denies them.

10 80. The allegations of paragraph 80 are not directed to iBAHN, and  
11 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
12 to form a belief as to the truth of the allegations of paragraph 80 and on that basis  
13 denies them.

14 81. The allegations of paragraph 81 are not directed to iBAHN, and  
15 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
16 to form a belief as to the truth of the allegations of paragraph 81 and on that basis  
17 denies them.

18 **II. CLAIM AGAINST WAYPORT**

19 **CLAIM 7: CLAIM FOR INFRINGEMENT OF**

20 **U.S. PATENT NO. 6,130,892 BY WAYPORT**

21 82. iBAHN repeats and incorporates by reference its responses to the  
22 allegations in paragraphs 1 through 23.

23 83. iBAHN admits that Nomadix purports to bring this claim under the  
24 patent laws of the United States.

25 84. The allegations of paragraph 84 are not directed to iBAHN, and  
26 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
27 to form a belief as to the truth of the allegations of paragraph 84 and on that basis  
28 denies them.

1           85. The allegations of paragraph 85 are not directed to iBAHN, and  
2 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
3 to form a belief as to the truth of the allegations of paragraph 85 and on that basis  
4 denies them.

5           86. The allegations of paragraph 86 are not directed to iBAHN, and  
6 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
7 to form a belief as to the truth of the allegations of paragraph 86 and on that basis  
8 denies them.

9           87. The allegations of paragraph 87 are not directed to iBAHN, and  
10 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
11 to form a belief as to the truth of the allegations of paragraph 87 and on that basis  
12 denies them.

13                           **CLAIM 8: CLAIM FOR INFRINGEMENT OF**  
14                           **U.S. PATENT NO. 7,088,727 BY WAYPORT**

15           88. iBAHN repeats and incorporates by reference its responses to the  
16 allegations in paragraphs 1 through 23.

17           89. iBAHN admits that Nomadix purports to bring this claim under the  
18 patent laws of the United States.

19           90. The allegations of paragraph 90 are not directed to iBAHN, and  
20 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
21 to form a belief as to the truth of the allegations of paragraph 90 and on that basis  
22 denies them.

23           91. The allegations of paragraph 91 are not directed to iBAHN, and  
24 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
25 to form a belief as to the truth of the allegations of paragraph 91 and on that basis  
26 denies them.

27           92. The allegations of paragraph 92 are not directed to iBAHN, and  
28 therefore no answer is required. iBAHN lacks knowledge or information sufficient

1 to form a belief as to the truth of the allegations of paragraph 92 and on that basis  
2 denies them.

3 93. The allegations of paragraph 93 are not directed to iBAHN, and  
4 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
5 to form a belief as to the truth of the allegations of paragraph 93 and on that basis  
6 denies them.

7 **CLAIM 9: CLAIM FOR INFRINGEMENT OF**  
8 **U.S. PATENT NO. 7,554,995 BY WAYPORT**

9 94. iBAHN repeats and incorporates by reference its responses to the  
10 allegations in paragraphs 1 through 23.

11 95. iBAHN admits that Nomadix purports to bring this claim under the  
12 patent laws of the United States.

13 96. The allegations of paragraph 96 are not directed to iBAHN, and  
14 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
15 to form a belief as to the truth of the allegations of paragraph 96 and on that basis  
16 denies them.

17 97. The allegations of paragraph 97 are not directed to iBAHN, and  
18 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
19 to form a belief as to the truth of the allegations of paragraph 97 and on that basis  
20 denies them.

21 98. The allegations of paragraph 98 are not directed to iBAHN, and  
22 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
23 to form a belief as to the truth of the allegations of paragraph 98 and on that basis  
24 denies them.

25 99. The allegations of paragraph 99 are not directed to iBAHN, and  
26 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
27 to form a belief as to the truth of the allegations of paragraph 99 and on that basis  
28 denies them.

**CLAIM 10: CLAIM FOR INFRINGEMENT OF**  
**U.S. PATENT NO. 6,636,894 BY WAYPORT**

100. iBAHN repeats and incorporates by reference its responses to the allegations in paragraphs 1 through 23.

101. iBAHN admits that Nomadix purports to bring this claim under the patent laws of the United States.

102. The allegations of paragraph 102 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 102 and on that basis denies them.

103. The allegations of paragraph 103 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 103 and on that basis denies them.

104. The allegations of paragraph 104 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 104 and on that basis denies them.

105. The allegations of paragraph 105 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 105 and on that basis denies them.

**CLAIM 11: CLAIM FOR INFRINGEMENT OF**  
**U.S. PATENT NO. 7,194,554 BY WAYPORT**

106. iBAHN repeats and incorporates by reference its responses to the allegations in paragraphs 1 through 23.

107. iBAHN admits that Nomadix purports to bring this claim under the patent laws of the United States.

1 108. The allegations of paragraph 108 are not directed to iBAHN, and  
2 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
3 to form a belief as to the truth of the allegations of paragraph 108 and on that basis  
4 denies them.

5 109. The allegations of paragraph 109 are not directed to iBAHN, and  
6 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
7 to form a belief as to the truth of the allegations of paragraph 109 and on that basis  
8 denies them.

9 110. The allegations of paragraph 110 are not directed to iBAHN, and  
10 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
11 to form a belief as to the truth of the allegations of paragraph 110 and on that basis  
12 denies them.

13 111. The allegations of paragraph 111 are not directed to iBAHN, and  
14 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
15 to form a belief as to the truth of the allegations of paragraph 111 and on that basis  
16 denies them.

17 **CLAIM 12: CLAIM FOR INFRINGEMENT OF**  
18 **U.S. PATENT NO. 6,868,399 BY WAYPORT**

19 112. iBAHN repeats and incorporates by reference its responses to the  
20 allegations in paragraphs 1 through 23.

21 113. iBAHN admits that Nomadix purports to bring this claim under the  
22 patent laws of the United States.

23 114. The allegations of paragraph 114 are not directed to iBAHN, and  
24 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
25 to form a belief as to the truth of the allegations of paragraph 114 and on that basis  
26 denies them.

27 115. The allegations of paragraph 115 are not directed to iBAHN, and  
28 therefore no answer is required. iBAHN lacks knowledge or information sufficient



1 to form a belief as to the truth of the allegations of paragraph 115 and on that basis  
2 denies them.

3 116. The allegations of paragraph 116 are not directed to iBAHN, and  
4 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
5 to form a belief as to the truth of the allegations of paragraph 116 and on that basis  
6 denies them.

7 117. The allegations of paragraph 117 are not directed to iBAHN, and  
8 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
9 to form a belief as to the truth of the allegations of paragraph 117 and on that basis  
10 denies them.

### 11 **III. CLAIMS AGAINST IBAHN**

#### 12 **CLAIM 13: CLAIM FOR INFRINGEMENT OF**

#### 13 **U.S. PATENT NO. 6,130,892 BY IBAHN**

14 118. iBAHN repeats and incorporates by reference its responses to the  
15 allegations in paragraphs 1 through 23.

16 119. iBAHN admits that Nomadix purports to bring this claim under the  
17 patent laws of the United States.

18 120. iBAHN denies all of the allegations of paragraph 120 of the complaint.

19 121. iBAHN admits that it received a letter from Nomadix that purports to  
20 assert infringement of the '892 patent. iBAHN denies the remaining allegations of  
21 paragraph 121 of the complaint.

22 122. iBAHN denies all of the allegations of paragraph 122 of the complaint.

23 123. iBAHN denies all of the allegations of paragraph 123 of the complaint.

24 124. iBAHN denies all of the allegations of paragraph 124 of the complaint.

25 125. iBAHN denies all of the allegations of paragraph 125 of the complaint.

#### 26 **CLAIM 14: CLAIM FOR INFRINGEMENT OF**

#### 27 **U.S. PATENT NO. 7,088,727 BY IBAHN**

28 126. iBAHN repeats and incorporates by reference its responses to the

1 allegations in paragraphs 1 through 23.

2 127. iBAHN admits that Nomadix purports to bring this claim under the  
3 patent laws of the United States.

4 128. iBAHN denies all of the allegations of paragraph 128 of the complaint.

5 129. iBAHN admits that it received a letter from Nomadix that purports to  
6 assert infringement of the '727 patent. iBAHN denies the remaining allegations of  
7 paragraph 129 of the complaint.

8 130. iBAHN denies all of the allegations of paragraph 130 of the complaint.

9 131. iBAHN denies all of the allegations of paragraph 131 of the complaint.

10 132. iBAHN denies all of the allegations of paragraph 132 of the complaint.

11 133. iBAHN denies all of the allegations of paragraph 133 of the complaint.

12 **CLAIM 15: CLAIM FOR INFRINGEMENT OF**

13 **U.S. PATENT NO. 7,554,995 BY IBAHN**

14 134. iBAHN repeats and incorporates by reference its responses to the  
15 allegations in paragraphs 1 through 23.

16 135. iBAHN admits that Nomadix purports to bring this claim under the  
17 patent laws of the United States.

18 136. iBAHN denies all of the allegations of paragraph 136 of the complaint.

19 137. iBAHN admits that it received a letter from Nomadix that purports to  
20 assert infringement of the '995 patent. iBAHN denies the remaining allegations of  
21 paragraph 137 of the complaint.

22 138. iBAHN denies all of the allegations of paragraph 138 of the complaint.

23 139. iBAHN denies all of the allegations of paragraph 139 of the complaint.

24 140. iBAHN denies all of the allegations of paragraph 140 of the complaint.

25 141. iBAHN denies all of the allegations of paragraph 141 of the complaint.

26 **CLAIM 16: CLAIM FOR INFRINGEMENT OF**

27 **U.S. PATENT NO. 6,636,894 BY IBAHN**

28 142. iBAHN repeats and incorporates by reference its responses to the

1 allegations in paragraphs 1 through 23.

2 143. iBAHN admits that Nomadix purports to bring this claim under the  
3 patent laws of the United States.

4 144. iBAHN denies all of the allegations of paragraph 144 of the complaint.

5 145. iBAHN admits that it received a letter from Nomadix that purports to  
6 assert infringement of the '894 patent. iBAHN denies the remaining allegations of  
7 paragraph 145 of the complaint.

8 146. iBAHN denies all of the allegations of paragraph 146 of the complaint.

9 147. iBAHN denies all of the allegations of paragraph 147 of the complaint.

10 148. iBAHN denies all of the allegations of paragraph 148 of the complaint.

11 149. iBAHN denies all of the allegations of paragraph 149 of the complaint.

12 **CLAIM 17: CLAIM FOR INFRINGEMENT OF**

13 **U.S. PATENT NO. 6,868,399 BY IBAHN**

14 150. iBAHN repeats and incorporates by reference its responses to the  
15 allegations in paragraphs 1 through 23.

16 151. iBAHN admits that Nomadix purports to bring this claim under the  
17 patent laws of the United States.

18 152. iBAHN denies all of the allegations of paragraph 152 of the complaint.

19 153. iBAHN admits that it received a letter from Nomadix that purports to  
20 assert infringement of the '399 patent. iBAHN denies the remaining allegations of  
21 paragraph 153 of the complaint.

22 154. iBAHN denies all of the allegations of paragraph 154 of the complaint.

23 155. iBAHN denies all of the allegations of paragraph 155 of the complaint.

24 156. iBAHN denies all of the allegations of paragraph 156 of the complaint.

25 157. iBAHN denies all of the allegations of paragraph 157 of the complaint.

**IV. CLAIMS AGAINST GUEST-TEK**

**CLAIM 18: CLAIM FOR INFRINGEMENT OF**  
**U.S. PATENT NO. 6,130,892 BY GUEST-TEK**

158. iBAHN repeats and incorporates by reference its responses to the allegations in paragraphs 1 through 23.

159. iBAHN admits that Nomadix purports to bring this claim under the patent laws of the United States.

160. The allegations of paragraph 160 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 160 and on that basis denies them.

161. The allegations of paragraph 161 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 161 and on that basis denies them.

162. The allegations of paragraph 162 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 162 and on that basis denies them.

163. The allegations of paragraph 163 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 163 and on that basis denies them.

164. The allegations of paragraph 164 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 164 and on that basis denies them.

165. The allegations of paragraph 165 are not directed to iBAHN, and

1 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
2 to form a belief as to the truth of the allegations of paragraph 165 and on that basis  
3 denies them.

4 **CLAIM 19: CLAIM FOR INFRINGEMENT OF**  
5 **U.S. PATENT NO. 7,088,727 BY GUEST-TEK**

6 166. iBAHN repeats and incorporates by reference its responses to the  
7 allegations in paragraphs 1 through 23.

8 167. iBAHN admits that Nomadix purports to bring this claim under the  
9 patent laws of the United States.

10 168. The allegations of paragraph 168 are not directed to iBAHN, and  
11 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
12 to form a belief as to the truth of the allegations of paragraph 168 and on that basis  
13 denies them.

14 169. The allegations of paragraph 169 are not directed to iBAHN, and  
15 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
16 to form a belief as to the truth of the allegations of paragraph 169 and on that basis  
17 denies them.

18 170. The allegations of paragraph 170 are not directed to iBAHN, and  
19 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
20 to form a belief as to the truth of the allegations of paragraph 170 and on that basis  
21 denies them.

22 171. The allegations of paragraph 171 are not directed to iBAHN, and  
23 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
24 to form a belief as to the truth of the allegations of paragraph 171 and on that basis  
25 denies them.

26 172. The allegations of paragraph 172 are not directed to iBAHN, and  
27 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
28 to form a belief as to the truth of the allegations of paragraph 172 and on that basis



1 denies them.

2 173. The allegations of paragraph 173 are not directed to iBAHN, and  
3 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
4 to form a belief as to the truth of the allegations of paragraph 173 and on that basis  
5 denies them.

6 **CLAIM 20: CLAIM FOR INFRINGEMENT OF**  
7 **U.S. PATENT NO. 7,554,995 BY GUEST-TEK**

8 174. iBAHN repeats and incorporates by reference its responses to the  
9 allegations in paragraphs 1 through 23.

10 175. iBAHN admits that Nomadix purports to bring this claim under the  
11 patent laws of the United States.

12 176. The allegations of paragraph 176 are not directed to iBAHN, and  
13 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
14 to form a belief as to the truth of the allegations of paragraph 176 and on that basis  
15 denies them.

16 177. The allegations of paragraph 177 are not directed to iBAHN, and  
17 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
18 to form a belief as to the truth of the allegations of paragraph 177 and on that basis  
19 denies them.

20 178. The allegations of paragraph 178 are not directed to iBAHN, and  
21 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
22 to form a belief as to the truth of the allegations of paragraph 178 and on that basis  
23 denies them.

24 179. The allegations of paragraph 179 are not directed to iBAHN, and  
25 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
26 to form a belief as to the truth of the allegations of paragraph 179 and on that basis  
27 denies them.

28 180. The allegations of paragraph 180 are not directed to iBAHN, and

1 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
2 to form a belief as to the truth of the allegations of paragraph 180 and on that basis  
3 denies them.

4 181. The allegations of paragraph 181 are not directed to iBAHN, and  
5 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
6 to form a belief as to the truth of the allegations of paragraph 181 and on that basis  
7 denies them.

8 **CLAIM 21: CLAIM FOR INFRINGEMENT OF**  
9 **U.S. PATENT NO. 6,636,894 BY GUEST-TEK**

10 182. iBAHN repeats and incorporates by reference its responses to the  
11 allegations in paragraphs 1 through 23.

12 183. iBAHN admits that Nomadix purports to bring this claim under the  
13 patent laws of the United States.

14 184. The allegations of paragraph 184 are not directed to iBAHN, and  
15 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
16 to form a belief as to the truth of the allegations of paragraph 184 and on that basis  
17 denies them.

18 185. The allegations of paragraph 185 are not directed to iBAHN, and  
19 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
20 to form a belief as to the truth of the allegations of paragraph 185 and on that basis  
21 denies them.

22 186. The allegations of paragraph 186 are not directed to iBAHN, and  
23 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
24 to form a belief as to the truth of the allegations of paragraph 186 and on that basis  
25 denies them.

26 187. The allegations of paragraph 187 are not directed to iBAHN, and  
27 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
28 to form a belief as to the truth of the allegations of paragraph 187 and on that basis

1 denies them.

2 188. The allegations of paragraph 188 are not directed to iBAHN, and  
3 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
4 to form a belief as to the truth of the allegations of paragraph 188 and on that basis  
5 denies them.

6 189. The allegations of paragraph 189 are not directed to iBAHN, and  
7 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
8 to form a belief as to the truth of the allegations of paragraph 189 and on that basis  
9 denies them.

10 **CLAIM 22: CLAIM FOR INFRINGEMENT OF**  
11 **U.S. PATENT NO. 6,868,399 BY GUEST-TEK**

12 190. iBAHN repeats and incorporates by reference its responses to the  
13 allegations in paragraphs 1 through 23.

14 191. iBAHN admits that Nomadix purports to bring this claim under the  
15 patent laws of the United States.

16 192. The allegations of paragraph 192 are not directed to iBAHN, and  
17 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
18 to form a belief as to the truth of the allegations of paragraph 192 and on that basis  
19 denies them.

20 193. The allegations of paragraph 193 are not directed to iBAHN, and  
21 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
22 to form a belief as to the truth of the allegations of paragraph 193 and on that basis  
23 denies them.

24 194. The allegations of paragraph 194 are not directed to iBAHN, and  
25 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
26 to form a belief as to the truth of the allegations of paragraph 194 and on that basis  
27 denies them.

28 195. The allegations of paragraph 195 are not directed to iBAHN, and

1 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
2 to form a belief as to the truth of the allegations of paragraph 195 and on that basis  
3 denies them.

4 196. The allegations of paragraph 196 are not directed to iBAHN, and  
5 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
6 to form a belief as to the truth of the allegations of paragraph 196 and on that basis  
7 denies them.

8 197. The allegations of paragraph 197 are not directed to iBAHN, and  
9 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
10 to form a belief as to the truth of the allegations of paragraph 197 and on that basis  
11 denies them.

12 **CLAIM 23: CLAIM FOR INFRINGEMENT OF**  
13 **U.S. PATENT NO. 6,789,110 BY GUEST-TEK**

14 198. iBAHN repeats and incorporates by reference its responses to the  
15 allegations in paragraphs 1 through 23.

16 199. iBAHN admits that Nomadix purports to bring this claim under the  
17 patent laws of the United States.

18 200. The allegations of paragraph 200 are not directed to iBAHN, and  
19 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
20 to form a belief as to the truth of the allegations of paragraph 200 and on that basis  
21 denies them.

22 201. The allegations of paragraph 201 are not directed to iBAHN, and  
23 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
24 to form a belief as to the truth of the allegations of paragraph 201 and on that basis  
25 denies them.

26 202. The allegations of paragraph 202 are not directed to iBAHN, and  
27 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
28 to form a belief as to the truth of the allegations of paragraph 202 and on that basis

1 denies them.

2 203. The allegations of paragraph 203 are not directed to iBAHN, and  
3 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
4 to form a belief as to the truth of the allegations of paragraph 203 and on that basis  
5 denies them.

6 **V. CLAIMS AGAINST LODGENET**  
7 **CLAIM 24: CLAIM FOR INFRINGEMENT OF**  
8 **U.S. PATENT NO. 6,130,892 BY LODGENET**

9 204. iBAHN repeats and incorporates by reference its responses to the  
10 allegations in paragraphs 1 through 23.

11 205. iBAHN admits that Nomadix purports to bring this claim under the  
12 patent laws of the United States.

13 206. The allegations of paragraph 206 are not directed to iBAHN, and  
14 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
15 to form a belief as to the truth of the allegations of paragraph 206 and on that basis  
16 denies them.

17 207. The allegations of paragraph 207 are not directed to iBAHN, and  
18 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
19 to form a belief as to the truth of the allegations of paragraph 207 and on that basis  
20 denies them.

21 208. The allegations of paragraph 208 are not directed to iBAHN, and  
22 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
23 to form a belief as to the truth of the allegations of paragraph 208 and on that basis  
24 denies them.

25 209. The allegations of paragraph 209 are not directed to iBAHN, and  
26 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
27 to form a belief as to the truth of the allegations of paragraph 209 and on that basis  
28 denies them.



**CLAIM 25: CLAIM FOR INFRINGEMENT OF**  
**U.S. PATENT NO. 7,088,727 BY LODGENET**

210. iBAHN repeats and incorporates by reference its responses to the allegations in paragraphs 1 through 23.

211. iBAHN admits that Nomadix purports to bring this claim under the patent laws of the United States.

212. The allegations of paragraph 212 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 212 and on that basis denies them.

213. The allegations of paragraph 213 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 213 and on that basis denies them.

214. The allegations of paragraph 214 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 214 and on that basis denies them.

215. The allegations of paragraph 215 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 215 and on that basis denies them.

**CLAIM 26: CLAIM FOR INFRINGEMENT OF**  
**U.S. PATENT NO. 7,554,995 BY LODGENET**

216. iBAHN repeats and incorporates by reference its responses to the allegations in paragraphs 1 through 23.

217. iBAHN admits that Nomadix purports to bring this claim under the patent laws of the United States.

1           218. The allegations of paragraph 218 are not directed to iBAHN, and  
2           therefore no answer is required. iBAHN lacks knowledge or information sufficient  
3           to form a belief as to the truth of the allegations of paragraph 218 and on that basis  
4           denies them.

5           219. The allegations of paragraph 219 are not directed to iBAHN, and  
6           therefore no answer is required. iBAHN lacks knowledge or information sufficient  
7           to form a belief as to the truth of the allegations of paragraph 219 and on that basis  
8           denies them.

9           220. The allegations of paragraph 220 are not directed to iBAHN, and  
10          therefore no answer is required. iBAHN lacks knowledge or information sufficient  
11          to form a belief as to the truth of the allegations of paragraph 220 and on that basis  
12          denies them.

13          221. The allegations of paragraph 221 are not directed to iBAHN, and  
14          therefore no answer is required. iBAHN lacks knowledge or information sufficient  
15          to form a belief as to the truth of the allegations of paragraph 221 and on that basis  
16          denies them.

17                           **CLAIM 27 CLAIM FOR INFRINGEMENT OF**  
18                           **U.S. PATENT NO. 6,636,894 BY LODGENET**

19          222. iBAHN repeats and incorporates by reference its responses to the  
20          allegations in paragraphs 1 through 23.

21          223. iBAHN admits that Nomadix purports to bring this claim under the  
22          patent laws of the United States.

23          224. The allegations of paragraph 224 are not directed to iBAHN, and  
24          therefore no answer is required. iBAHN lacks knowledge or information sufficient  
25          to form a belief as to the truth of the allegations of paragraph 224 and on that basis  
26          denies them.

27          225. The allegations of paragraph 225 are not directed to iBAHN, and  
28          therefore no answer is required. iBAHN lacks knowledge or information sufficient

1 to form a belief as to the truth of the allegations of paragraph 225 and on that basis  
2 denies them.

3 226. The allegations of paragraph 226 are not directed to iBAHN, and  
4 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
5 to form a belief as to the truth of the allegations of paragraph 226 and on that basis  
6 denies them.

7 227. The allegations of paragraph 227 are not directed to iBAHN, and  
8 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
9 to form a belief as to the truth of the allegations of paragraph 227 and on that basis  
10 denies them.

11 **CLAIM 28 CLAIM FOR INFRINGEMENT OF**  
12 **U.S. PATENT NO. 6,868,399 BY LODGENET**

13 228. iBAHN repeats and incorporates by reference its responses to the  
14 allegations in paragraphs 1 through 23.

15 229. iBAHN admits that Nomadix purports to bring this claim under the  
16 patent laws of the United States.

17 230. The allegations of paragraph 230 are not directed to iBAHN, and  
18 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
19 to form a belief as to the truth of the allegations of paragraph 230 and on that basis  
20 denies them.

21 231. The allegations of paragraph 231 are not directed to iBAHN, and  
22 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
23 to form a belief as to the truth of the allegations of paragraph 231 and on that basis  
24 denies them.

25 232. The allegations of paragraph 232 are not directed to iBAHN, and  
26 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
27 to form a belief as to the truth of the allegations of paragraph 232 and on that basis  
28 denies them.

1           233. The allegations of paragraph 233 are not directed to iBAHN, and  
2 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
3 to form a belief as to the truth of the allegations of paragraph 233 and on that basis  
4 denies them.

5                                   **VI. CLAIM AGAINST ARUBA**  
6                                   **CLAIM 29 CLAIM FOR INFRINGEMENT OF**  
7                                   **U.S. PATENT NO. 6,636,894 BY ARUBA**

8           234. iBAHN repeats and incorporates by reference its responses to the  
9 allegations in paragraphs 1 through 23.

10          235. iBAHN admits that Nomadix purports to bring this claim under the  
11 patent laws of the United States.

12          236. The allegations of paragraph 236 are not directed to iBAHN, and  
13 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
14 to form a belief as to the truth of the allegations of paragraph 236 and on that basis  
15 denies them.

16          237. The allegations of paragraph 237 are not directed to iBAHN, and  
17 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
18 to form a belief as to the truth of the allegations of paragraph 237 and on that basis  
19 denies them.

20          238. The allegations of paragraph 238 are not directed to iBAHN, and  
21 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
22 to form a belief as to the truth of the allegations of paragraph 238 and on that basis  
23 denies them.

24          239. The allegations of paragraph 239 are not directed to iBAHN, and  
25 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
26 to form a belief as to the truth of the allegations of paragraph 239 and on that basis  
27 denies them.

**VII. CLAIMS AGAINST SUPERCLICK**  
**CLAIM 30 CLAIM FOR INFRINGEMENT OF**  
**U.S. PATENT NO. 6,130,891 BY SUPERCLICK**

240. iBAHN repeats and incorporates by reference its responses to the allegations in paragraphs 1 through 23.

241. iBAHN admits that Nomadix purports to bring this claim under the patent laws of the United States.

242. The allegations of paragraph 242 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 242 and on that basis denies them.

243. The allegations of paragraph 243 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 243 and on that basis denies them.

244. The allegations of paragraph 244 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 244 and on that basis denies them.

245. The allegations of paragraph 245 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 245 and on that basis denies them.

246. The allegations of paragraph 246 are not directed to iBAHN, and therefore no answer is required. iBAHN lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 246 and on that basis denies them.

247. The allegations of paragraph 247 are not directed to iBAHN, and



1 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
2 to form a belief as to the truth of the allegations of paragraph 247 and on that basis  
3 denies them.

4 **CLAIM 31 CLAIM FOR INFRINGEMENT OF**  
5 **U.S. PATENT NO. 7,088,727 BY SUPERCLICK**

6 248. iBAHN repeats and incorporates by reference its responses to the  
7 allegations in paragraphs 1 through 23.

8 249. iBAHN admits that Nomadix purports to bring this claim under the  
9 patent laws of the United States.

10 250. The allegations of paragraph 250 are not directed to iBAHN, and  
11 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
12 to form a belief as to the truth of the allegations of paragraph 250 and on that basis  
13 denies them.

14 251. The allegations of paragraph 251 are not directed to iBAHN, and  
15 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
16 to form a belief as to the truth of the allegations of paragraph 251 and on that basis  
17 denies them.

18 252. The allegations of paragraph 252 are not directed to iBAHN, and  
19 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
20 to form a belief as to the truth of the allegations of paragraph 252 and on that basis  
21 denies them.

22 253. The allegations of paragraph 253 are not directed to iBAHN, and  
23 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
24 to form a belief as to the truth of the allegations of paragraph 253 and on that basis  
25 denies them.

26 254. The allegations of paragraph 254 are not directed to iBAHN, and  
27 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
28 to form a belief as to the truth of the allegations of paragraph 254 and on that basis

1 denies them.

2 255. The allegations of paragraph 255 are not directed to iBAHN, and  
3 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
4 to form a belief as to the truth of the allegations of paragraph 255 and on that basis  
5 denies them.

6 **CLAIM 32 CLAIM FOR INFRINGEMENT OF**  
7 **U.S. PATENT NO. 7,554,995 BY SUPERCLICK**

8 256. iBAHN repeats and incorporates by reference its responses to the  
9 allegations in paragraphs 1 through 23.

10 257. iBAHN admits that Nomadix purports to bring this claim under the  
11 patent laws of the United States.

12 258. The allegations of paragraph 258 are not directed to iBAHN, and  
13 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
14 to form a belief as to the truth of the allegations of paragraph 258 and on that basis  
15 denies them.

16 259. The allegations of paragraph 259 are not directed to iBAHN, and  
17 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
18 to form a belief as to the truth of the allegations of paragraph 259 and on that basis  
19 denies them.

20 260. The allegations of paragraph 260 are not directed to iBAHN, and  
21 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
22 to form a belief as to the truth of the allegations of paragraph 260 and on that basis  
23 denies them.

24 261. The allegations of paragraph 261 are not directed to iBAHN, and  
25 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
26 to form a belief as to the truth of the allegations of paragraph 261 and on that basis  
27 denies them.

28 262. The allegations of paragraph 262 are not directed to iBAHN, and

1 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
2 to form a belief as to the truth of the allegations of paragraph 262 and on that basis  
3 denies them.

4 263. The allegations of paragraph 263 are not directed to iBAHN, and  
5 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
6 to form a belief as to the truth of the allegations of paragraph 263 and on that basis  
7 denies them.

8 **CLAIM 33: CLAIM FOR INFRINGEMENT OF**  
9 **U.S. PATENT NO. 6,636,894 BY SUPERCLICK**

10 264. iBAHN repeats and incorporates by reference its responses to the  
11 allegations in paragraphs 1 through 23.

12 265. iBAHN admits that Nomadix purports to bring this claim under the  
13 patent laws of the United States.

14 266. The allegations of paragraph 266 are not directed to iBAHN, and  
15 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
16 to form a belief as to the truth of the allegations of paragraph 266 and on that basis  
17 denies them.

18 267. The allegations of paragraph 267 are not directed to iBAHN, and  
19 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
20 to form a belief as to the truth of the allegations of paragraph 267 and on that basis  
21 denies them.

22 268. The allegations of paragraph 268 are not directed to iBAHN, and  
23 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
24 to form a belief as to the truth of the allegations of paragraph 268 and on that basis  
25 denies them.

26 269. The allegations of paragraph 269 are not directed to iBAHN, and  
27 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
28 to form a belief as to the truth of the allegations of paragraph 269 and on that basis

1 denies them.

2 270. The allegations of paragraph 270 are not directed to iBAHN, and  
3 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
4 to form a belief as to the truth of the allegations of paragraph 270 and on that basis  
5 denies them.

6 271. The allegations of paragraph 271 are not directed to iBAHN, and  
7 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
8 to form a belief as to the truth of the allegations of paragraph 271 and on that basis  
9 denies them.

10 **CLAIM 34: CLAIM FOR INFRINGEMENT OF**  
11 **U.S. PATENT NO. 7,194,554 BY SUPERCLICK**

12 272. iBAHN repeats and incorporates by reference its responses to the  
13 allegations in paragraphs 1 through 23.

14 273. iBAHN admits that Nomadix purports to bring this claim under the  
15 patent laws of the United States.

16 274. The allegations of paragraph 274 are not directed to iBAHN, and  
17 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
18 to form a belief as to the truth of the allegations of paragraph 274 and on that basis  
19 denies them.

20 275. The allegations of paragraph 275 are not directed to iBAHN, and  
21 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
22 to form a belief as to the truth of the allegations of paragraph 275 and on that basis  
23 denies them.

24 276. The allegations of paragraph 276 are not directed to iBAHN, and  
25 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
26 to form a belief as to the truth of the allegations of paragraph 276 and on that basis  
27 denies them.

28 277. The allegations of paragraph 277 are not directed to iBAHN, and

1 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
2 to form a belief as to the truth of the allegations of paragraph 277 and on that basis  
3 denies them.

4 **CLAIM 35: CLAIM FOR INFRINGEMENT OF**  
5 **U.S. PATENT NO. 6,868,399 BY SUPERCLICK**

6 278. iBAHN repeats and incorporates by reference its responses to the  
7 allegations in paragraphs 1 through 23.

8 279. iBAHN admits that Nomadix purports to bring this claim under the  
9 patent laws of the United States.

10 280. The allegations of paragraph 280 are not directed to iBAHN, and  
11 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
12 to form a belief as to the truth of the allegations of paragraph 280 and on that basis  
13 denies them.

14 281. The allegations of paragraph 281 are not directed to iBAHN, and  
15 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
16 to form a belief as to the truth of the allegations of paragraph 281 and on that basis  
17 denies them.

18 282. The allegations of paragraph 282 are not directed to iBAHN, and  
19 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
20 to form a belief as to the truth of the allegations of paragraph 282 and on that basis  
21 denies them.

22 283. The allegations of paragraph 283 are not directed to iBAHN, and  
23 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
24 to form a belief as to the truth of the allegations of paragraph 283 and on that basis  
25 denies them.

26 284. The allegations of paragraph 284 are not directed to iBAHN, and  
27 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
28 to form a belief as to the truth of the allegations of paragraph 284 and on that basis



1 denies them.

2 285. The allegations of paragraph 285 are not directed to iBAHN, and  
3 therefore no answer is required. iBAHN lacks knowledge or information sufficient  
4 to form a belief as to the truth of the allegations of paragraph 285 and on that basis  
5 denies them.

6 **PRAYER FOR RELIEF**

7 These paragraphs set forth the statement of relief requested by the  
8 Plaintiff to which no response is required. To the extent the statement is directed to  
9 iBAHN, iBAHN denies that it has infringed and/or induced or contributed to the  
10 infringement of any claims of the '892, '727, '995, '894, or '399 patents. iBAHN  
11 further denies that Plaintiff is entitled to any of the relief it requests against iBAHN.

12 **AFFIRMATIVE AND OTHER DEFENSES**

13 Subject to the responses above, iBAHN alleges and asserts the following  
14 defenses in response to the allegations, undertaking the burden of proof only as to  
15 those defenses deemed affirmative defenses by law, regardless of how such  
16 defenses are denominated herein. In addition to the defenses described below,  
17 subject to its responses above, iBAHN reserves the right to modify, amend, and/or  
18 expand upon these defenses as discovery proceeds, and to allege additional  
19 defenses that become known through the course of discovery.

20 **First Defense: Noninfringement**

21 1. iBAHN has not and does not willfully or otherwise infringe, contribute  
22 to the infringement of, or actively induce others to infringe, any claim of the '892,  
23 '727, '995, '894, or '399 patents.

24 **Second Defense: Invalidity**

25 2. The '892, '727, '995, '894, or '399 patents are invalid for failing to  
26 comply with one or more requirements of the patent laws of the United States,  
27 including, but not limited to, the conditions for patentability set forth in 35 U.S.C.  
28 §§ 101, 102, 103 and 112.

**Defense: Estoppel**

3. On information and belief, Plaintiff is estopped by representations or actions taken during the prosecution of the '892, '727, '995, '894, or '399 patents, which limits the literal and equivalent scope of the claims of those patents under the doctrines of prosecution disclaimer and prosecution history estoppel.

**Defense: Laches**

4. On information and belief, Plaintiff's claims are barred in whole or in part from asserting the '892, '727, '995, '894, or '399 patents against iBAHN by the doctrine of laches, or waiver, or both.

**Defense: Unclean Hands**

5. On information and belief, the claims of the '892, '727, '995, '894, or '399 patents are unenforceable due to unclean hands.

**Defense: Limitation on Damages**

6. On information and belief, Plaintiff's alleged damages are limited and/or barred under 35 U.S.C. §§ 286 and/or 287.

**Defense: 28 U.S.C. 1498**

7. To the extent that certain products accused of infringing the '892, '727, '995, '894, or '399 patents are used by and/or manufactured for the United States Government, Plaintiff's claims against iBAHN with respect to such products may not be pursued and are subject to other limitations pursuant to 28 U.S.C. § 1498.

**COUNTERCLAIMS**

iBAHN asserts counterclaims against Plaintiff as follows:

**PARTIES**

8. iBAHN Corporation is an entity organized under the laws of the state of Delaware with its principal place of business at 10757 S. River Front Parkway, Suite 300, Salt Lake City, Utah 84095.

1           9. According to the Complaint, Nomadix is a Delaware corporation  
2 having its principal place of business at 1100 Business Center Circle, Suite 100,  
3 Newbury Park, California 91320.

4                           **JURISDICTION AND VENUE**

5           10. Subject to iBAHN's defenses and denials, iBAHN alleges that the  
6 Court has jurisdiction over the subject matter of these Counterclaims under, without  
7 limitation, 28 U.S.C. §§ 1331, 1367, 1338(a), 2201 and 2202.

8           11. The Court has personal jurisdiction over Plaintiff.

9           12. Venue as to these counterclaims is proper in this district because  
10 Plaintiff has submitted to this Court's jurisdiction by the filing of the Complaint in  
11 this action.

12                           **COUNT ONE - DECLARATORY JUDGMENT OF NON-INFRINGEMENT**

13           13. iBAHN incorporates here the foregoing admissions, denials, and  
14 allegations.

15           14. Based on the filing by Plaintiff of this suit and iBAHN's defenses, an  
16 actual controversy has arisen and now exists between the parties as to whether  
17 iBAHN infringes, contributes to the infringement of, or induces infringement of  
18 any valid claim of the '892, '727, '995, '894, or '399 patents.

19           15. Pursuant to the Federal Declaratory Judgment Act, 28 U.S.C. §§ 2201  
20 *et seq.*, iBAHN requests a declaration from the Court that iBAHN has not infringed  
21 any valid claim of the '892, '727, '995, '894, or '399 patents, either directly,  
22 contributorily, or by inducement or either literally under the doctrine of equivalents.

23                           **COUNT TWO - DECLARATORY JUDGMENT OF INVALIDITY**

24           16. iBAHN incorporates here the foregoing admissions, denials, and  
25 allegations.

26           17. Based on the filing by Plaintiff of this suit and iBAHN's defenses, an  
27 actual controversy has arisen and now exists between the parties as to the validity  
28

1 of each of the claims of the '892, '727, '995, '894, or '399 patents.

2 18. Pursuant to the Federal Declaratory Judgment Act, 28 U.S.C. §§ 2201  
3 *et seq.*, iBAHN requests a declaration from the Court that each of the claims of the  
4 '892, '727, '995, '894, or '399 patents are invalid for failure to comply with the  
5 provisions of the patent laws, 35 U.S.C. § 100 *et seq.*, including but not limited to  
6 one or more of 35 U.S.C. §§ 101, 102, 103, and/or 112.

7 **EXCEPTIONAL CASE**

8 19. To the extent this is an exceptional case under 35 U.S.C. § 285,  
9 iBAHN is entitled to recover from Plaintiff iBAHN's attorneys' fees and costs  
10 incurred in connection with this action.

11 **RESERVATION OF RIGHTS**

12 20. iBAHN hereby reserves its right to supplement with additional  
13 defenses as discovery proceeds in this matter.

14 **PRAAYER**

15 WHEREFORE, iBAHN prays for judgment as follows:

16 1. A judgment that Nomadix take nothing by its Complaint, and that its  
17 Complaint against iBAHN be dismissed with prejudice;

18 2. A judgment in favor of iBAHN on all of its Counterclaims;

19 3. A declaration that iBAHN has not infringed, either directly or  
20 indirectly, any valid and enforceable claim of the '892, '727, '995, '894, or '399  
21 patents;

22 4. A declaration that the '892, '727, '995, '894, or '399 patents are  
23 invalid and/or unenforceable;

24 5. A declaration that this case is exceptional and an award to iBAHN of  
25 its reasonable costs and expenses, including attorneys' fees and expert witness fees;

26 6. Such other and further relief as the Court may deem proper.  
27  
28

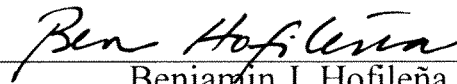
**DEMAND FOR JURY TRIAL**

iBAHN respectfully demands a jury trial of all issues triable to a jury in this action.

Dated: February 9, 2010

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

  
Benjamin J. Hofileña

I. Neel Chatterjee (SBN 173985)  
Fabio E. Marino (SBN 183825)  
1000 Marsh Road  
Menlo Park, CA 94025  
Telephone: (650) 614-7400  
Facsimile: (650) 614-7401

Robert W. Dickerson (SBN 89367)  
Benjamin J. Hofileña (SBN 227117)  
777 South Figueroa Street, Suite 3200  
Los Angeles, CA 90017  
Telephone: 213-629-2020  
Facsimile: 213-612-2499

Attorneys for Defendant and Counterclaimant  
IBAHN CORPORATION